IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 32636 of 2006(I)

PETITIONER:

C.R.VENUGOPAL,
CHITTATHPARAMBIL HOUSE, MUTHUVARA,
P.O.PUZHAKKAT, THRISSUR DISTRICT.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:

1. THE DISTRICT EXECUTIVE OFFICER,
   KERALA MOTOR TRANSPORT WORKERS' WELFARE
   FUND BOARD, THRISSUR.

2. THE DEPUTY TAHSILDAR (RR), THRISSUR.

3. THE VILLAGE OFFICER,
   PUZHAKKAL VILLAGE, THRISSUR DISTRICT.

BY ADV. SMT.I.SHEELADEVI, SC,KMTWF BOARD
G.P. SHRI.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 32636/06.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE PERMIT.

P2. COPY OF THE DEMAND NOTICE DTD.29.7.06 BY R2.

P3. COPY OF THE DEMAND NOTICE FOR 2000-01.

P4. COPY OF THE DEMAND NOTICE BY R2 FOR 2001-03.

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///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.32636 of 2006

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Dated this the 19th day of December, 2007

J U D G M E N T

The petitioner challenges the revenue recovery proceedings for recovery of the contributions under the Motor Transport Workers Welfare Fund Act. The petitioner now confines his prayer for permission to pay off the amounts in easy instalments.

2. I have head the learned counsel for the petitioner, the learned Standing Counsel appearing for the 1st respondent and the learned Government Pleader.

3. In the facts and circumstances of the case, I direct the respondents to permit the petitioner to pay off the balance amounts in five equal monthly instalments starting from 1.1.2008. Every subsequent instalment shall be paid on the first working day of every succeeding month. If the petitioner pays the instalments on the due dates, further proceedings for recovery shall be kept in abeyance. However, if the petitioner

commits any default in payment of any of the instalment it would be open to the respondents to continue the proceedings as now initiated without having to issue any fresh notice of proceedings in that regard.

The writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.